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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/945,414	08/31/2001	Tom R. Vandermeijden	3399P066	2722

26529 7590 09/07/2005

BLAKELY SOKOLOFF TAYLOR & ZAFMAN/PDC
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025

EXAMINER

ELAHEE, MD S

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/945,414

Applicant(s)

VANDERMEIJDEN ET AL.

Examiner

Md S. Elahee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-68 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 69 and 70 is/are allowed.
- 6) ☒ Claim(s) 1-68 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This action is responsive to an amendment filed 06/13/05. Claims 1-70 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-23 and 26-30 have been fully considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments with respect to claims 31-68 have been fully considered but they are not persuasive.

Regarding claims 31 and 50, the Applicant argues on page 16, lines 22-24, "Enzmann fails to disclose or suggest a method where the browser receives, or has any use for Caller-ID information". The examiner disagrees with this argument. Enzmann teaches that when a program initiates a request which includes calling party's number [i.e., Caller-ID information], the subscriber handset downloads information stored on the calling party's website for display on the subscriber's handset (see col.2, lines 8-22). It is clear that Enzmann discloses a method where the browser receives, or has any use for Caller-ID information. The Applicant further argues on page 17, lines 14-16, "The browser requires user intervention to execute a predetermined action based on the Caller-ID information, in response to receiving the Caller-ID information". The examiner again disagrees with this argument. Enzmann teaches that the subscriber made a request for additional information, the request activates a program on the handset and the program automatically initiates a request [i.e., to execute a predetermined action] based on the calling party's number [i.e., Caller-ID information], the subscriber handset downloads information stored on the calling party's website for display on the subscriber's handset (see col.1, line 58-

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col.2, line 22). It is clear that the browser does not require user intervention to execute a predetermined action based on the Caller-ID information, in response to receiving the Caller-ID information. Thus the rejection of the claims in view of Enzmann remain.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 6, 15, 18, 19, 31, 36, 50 and 55 are rejected under 35 U.S.C. 102(e) as being anticipated by Enzmann et al. (U.S. Patent No. 6,687,242).

Regarding claim 1, Enzmann teaches a telephony unit in the mobile communication device to process telephony signals and to receive a signal indicating an incoming call over a wireless link, the signal including Caller-ID information (fig.1; col.1, lines 36-51, col.4, lines 65-67). (Note; telephony unit is inherent for handset [i.e., mobile communication device])

Enzmann further teaches a browser in the mobile communication device to enable a user to access and navigate hypermedia information, and further to receive the Caller-ID information from the telephony unit in response to the incoming call and, in response to receiving the identifier, to access website [i.e., execute a predetermined action] based on the Caller-ID information (fig.1; col.1, lines 36-51, col.4, lines 65-67).

Regarding claim 6, Enzmann teaches a memory to store a recalling numbers [i.e., local data structure], wherein the action comprises the browser looking up data of a predetermined type in the recalling numbers (col.1, line 67-col.2, line 22).

Regarding claim 18, Enzmann teaches the action comprising the browser signaling the telephony unit to initiate an outgoing call in response to the incoming call (col.1, lines 36-51, col.4, lines 65-67).

Regarding claim 19, Enzmann teaches that the incoming call originates from a source, the source having a telephone number, and wherein the outgoing call is placed inherently to a telephone number other than the telephone number of the source (col.1, lines 36-51, col.4, lines 65-67).

Regarding claims 31 and 50, Enzmann teaches the browser receiving Caller-ID information associated within an incoming telephone call to the mobile telephone (fig.1; col.1, lines 36-51, col.4, lines 65-67).

Enzmann further teaches the browser executing without user intervention a predetermined action based on the Caller-ID information, in response to receiving the Caller-ID information (fig.1; col.1, lines 36-51, 67, col.2, lines 1-22, col.4, lines 23-39, col.5, lines 4-15).

Regarding claims 36 and 55, Enzmann teaches a memory to store a short message (i.e., local data structure), wherein the action comprises the browser looking up data of a predetermined type in the short message (col.2, lines 8-22, col.4, lines 23-39, col.5, lines 4-28).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 7, 20, 32, 37, 41, 45, 51 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Armanto et al. (U.S. Patent No. 6,094,587).

Regarding claims 2, 32 and 51, Enzmann does not specifically teach the browser looking up ring tone data previously associated with the Caller-ID information, and wherein the output device is caused to output a ring tone based on the ring tone data. Armanto teaches the browser looking up ring tone data previously associated with the Caller-ID information, and wherein the output device is caused to output a ring tone based on the ring tone data (col.6, lines 12-27, col.7, lines 32-47, col.8, lines 25-30) (Note; short message contains ringing tone which is downloaded from the server). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Enzmann to allow the browser looking up ring tone data previously associated with the Caller-ID information, and wherein the output device is caused to output a ring tone based on the ring tone data as taught by Armanto. The motivation for the modification is to have doing so in order to produce specific ring tone data for a particular caller.

Regarding claims 7, 37, 41, 45 and 56, Enzmann does not specifically teach the data comprising ring tone data. Armanto teaches the data comprising ring tone data (col.6, lines 12-27, col.7, lines 5-16, 32-47). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Enzmann to allow the data comprising ring tone

data as taught by Armanto. The motivation for the modification is to have doing so in order to produce distinctive ringing tone data for different callers.

Regarding claim 20 is rejected for the same reasons as discussed above with respect to claims 1 and 2. Furthermore, Enzmann teaches a communications interface to communicate voice and data with a website [i.e., remote site] over a wireless network (fig.2b, 3a; col.1, line 67-col.2, line 22).

Enzmann further teaches an output device to output a ring tone indicating an incoming telephone call from a caller (col.1, line 67-col.2, line 3).

Enzmann further teaches a memory in the mobile telephone inherently storing a browser to enable a user of the mobile telephone to access hypermedia information stored on a websites on internet [i.e., remote processing system] via the wireless network and to navigate the hypermedia information (col.1, line 67-col.2, line 22, lines 40-42).

7. Claims 3 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Armanto et al. (U.S. Patent No. 6,094,587) further in view of Kredo (U.S. Patent No. 6,714,637).

Regarding claims 3 and 28 are rejected for the same reasons as discussed above with respect to claim 2. Furthermore, Enzmann teaches that the incoming call originates from a caller (col.1, lines 36-39).

However, Enzmann in view of Armanto fails to teach “the caller is a member of a predefined group of callers, and wherein the ring tone data represents a ring tone previously associated with the group”. Kredo teaches that the caller is a member of a predefined group of callers, and wherein the ring tone data represents a ring tone previously associated with the group

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(col.3, lines 29-33, 42-56, 63-67, col.4, lines 1-6, col.5, lines 8-25). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Enzmann in view of Armanto to allow the caller as a member of a predefined group of callers, and wherein the ring tone data represents a ring tone previously associated with the group as taught by Kredo. The motivation for the modification is to have doing so in order to provide distinctive ringing tone to a subscriber for an incoming call from a caller of a predefined group of callers.

8. Claims 4, 5, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Armanto et al. (U.S. Patent No. 6,094,587) further in view of Shnier (U.S. Pub. No. 2002/0009184).

Regarding claims 4 and 29, Enzmann does not specifically teach that the ring tone has an audible pattern previously associated specifically with the caller. Armanto teaches that the ring tone has an audible pattern previously associated specifically with the caller (col.3, lines 1-9, col.6, lines 12-27, col.7, lines 5-16, 32-47). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Enzmann to incorporate the ring tone having an audible pattern previously associated specifically with the caller as taught by Armanto. The motivation for the modification is to have doing so in order to produce specific ringing tone for a particular caller.

However, Enzmann in view of Armanto further fails to teach “the caller is a member of a predefined group of callers and the ring tone emulates a sound instrument previously associated with the group of callers”. Shnier teaches that the caller is a member of a predefined group of callers and the ring tone emulates a sound instrument previously associated with the group of callers (fig.3; pages 3, 4, paragraphs 0027-0029, 0031). Thus, it would have been obvious to one

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of ordinary skill in the art at the time the invention was made to modify Enzmann in view of Armanto to allow the caller being a member of a predefined group of callers and the ring tone emulating a sound instrument previously associated with the group of callers as taught by Shnier. The motivation for the modification is to have doing so in order to provide distinctive ringing to a caller of a predefined group of callers.

Regarding claims 5 and 30, Enzmann in view of Armanto fails to teach “the sound instrument is a musical instrument and the audible pattern is a melody”. Shnier teaches that the sound instrument is a musical instrument and the ringing cadence (i.e., audible pattern) is inherently a melody (fig.3; page 3, paragraph 0027). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Enzmann in view of Armanto to allow the sound instrument being a musical instrument and the audible pattern being a melody as taught by Shnier. The motivation for the modification is to have doing so in order to provide melodious ringing to a caller.

9. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Ho et al. (U.S. Pub. No. 2002/0194352).

Regarding claim 8, Enzmann fails to teach “the data is stored in a vCard”. Ho teaches that the data is stored in a vCard (page 3, paragraph 0019). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Enzmann to allow the data being stored in a vCard as taught by Ho. The motivation for the modification is to have doing so in order to provide name and office telephone number.

10. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Stephens (U.S. Pub. No. 2003/0023371).

Regarding claims 9, Enzmann fails to teach “ring tone data stored in a vCard”. Stephens teaches alert (i.e., ring tone) data stored in a vCard (page 3, paragraph 0019). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Enzmann to allow ring tone data stored in a vCard as taught by Stephens. The motivation for the modification is to have doing so in order to provide the traveler with options to make selection.

11. Claims 10 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Fleming, III (U.S. Patent No. 6,697,484).

Regarding claim 10, Enzmann fails to teach “the browser attempts to locate the data in the memory in response to receiving the Caller-ID information and, if the data is not found in the memory, the browser automatically attempts to obtain the data from a remote server via the wireless link during a subsequent data connection by the browser over the wireless link”. Fleming teaches the browser attempting to locate the alphanumeric identifier (i.e., data) in the memory in response to receiving the Caller-ID information and, if the alphanumeric identifier is not found in the memory, the browser automatically attempts to obtain the alphanumeric identifier from a remote computer (i.e., server) via the wireless link during a subsequent data connection by the browser over the wireless link (fig.1-fig.4; col.3, lines 54-65, col.4, lines 60-64, col.5, lines 12-27, col.6, lines 4-20). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Enzmann to allow the browser attempts to locate the data in the memory in response to receiving the Caller-ID information and, if the data is not found in the memory, the browser automatically attempts to obtain the data from a remote server via the wireless link during a subsequent data connection by the browser over the wireless link as taught by Fleming. The motivation for the modification is to have doing so in

order to retrieve the alphanumeric identifier associated with originator's telephone number via the wireless network.

Regarding claim 14, Enzmann teaches the browser obtaining data of a predetermined type from a remote processing system via the wireless link (col.1, line 67-col.2, line 22).

However, Enzmann fails to teach "automatically updating the local data structure using the data obtained from the remote processing system". Fleming teaches automatically updating the local data structure using the alphanumeric identifier (i.e., data) obtained from the remote processing system (fig.1-fig.4; col.3, lines 54-65, col.4, lines 60-64, col.5, lines 12-27, col.6, lines 4-20). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Enzmann to allow automatically updating the local data structure using the data obtained from the remote processing system as taught by Fleming. The motivation for the modification is to have doing so in order to retrieve the alphanumeric identifier associated with originator's telephone number whenever needed.

12. Claims 11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Fleming, III (U.S. Patent No. 6,697,484) further in view of Armanto et al. (U.S. Patent No. 6,094,587).

Regarding claims 11 and 15 are rejected for the same reasons as discussed above with respect to claim 20.

13. Claims 12 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Fleming, III (U.S. Patent No. 6,697,484) and further in view of Ho et al. (U.S. Pub. No. 2002/0194352).

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Regarding claims 12 and 16 are rejected for the same reasons as discussed above with respect to claim 8.

14. Claims 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Fleming, III (U.S. Patent No. 6,697,484) and further in view of Stephens (U.S. Pub. No. 2003/0023371).

Regarding claims 13 and 17 are rejected for the same reasons as discussed above with respect to claim 9.

15. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Armanto et al. (U.S. Patent No. 6,094,587) further in view of Fleming, III (U.S. Patent No. 6,697,484).

Regarding claim 23 is rejected for the same reasons as discussed above with respect to claim 14.

16. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Armanto et al. (U.S. Patent No. 6,094,587) further in view of Ho et al. (U.S. Pub. No. 2002/0194352).

Regarding claim 26 is rejected for the same reasons as discussed above with respect to claim 8.

17. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Armanto et al. (U.S. Patent No. 6,094,587) further in view of Stephens (U.S. Pub. No. 2003/0023371).

Regarding claim 27 is rejected for the same reasons as discussed above with respect to claims 2 and 9.

18. Claims 33 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Armanto et al. (U.S. Patent No. 6,094,587) further in view of Kredo (U.S. Patent No. 6,714,637).

Regarding claims 33 and 52 are rejected for the same reasons as discussed above with respect to claim 3.

19. Claims 34, 35, 53 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Armanto et al. (U.S. Patent No. 6,094,587) further in view of Shnier (U.S. Pub. No. 2002/0009184).

Regarding claims 34 and 53 are rejected for the same reasons as discussed above with respect to claim 4.

Regarding claims 35 and 54 are rejected for the same reasons as discussed above with respect to claim 5.

20. Claims 38, 46, 57 and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Ho et al. (U.S. Pub. No. 2002/0194352).

Regarding claims 38, 46, 57 and 65 are rejected for the same reasons as discussed above with respect to claim 8.

21. Claims 39, 47 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Stephens (U.S. Pub. No. 2003/0023371).

Regarding claims 39, 47 and 58 are rejected for the same reasons as discussed above with respect to claim 9.

22. Claims 40 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Fleming, III (U.S. Patent No. 6,697,484).

Regarding claims 40 and 59 are rejected for the same reasons as discussed above with respect to claim 10.

23. Claims 42 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Armanto et al. (U.S. Patent No. 6,094,587) further in view of Fleming, III (U.S. Patent No. 6,697,484) further in view of Ho et al. (U.S. Pub. No. 2002/0194352).

Regarding claims 42 and 61 are rejected for the same reasons as discussed above with respect to claim 12.

24. Claims 43, 62 and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Armanto et al. (U.S. Patent No. 6,094,587) further in view of Fleming, III (U.S. Patent No. 6,697,484) further in view of Stephens (U.S. Pub. No. 2003/0023371).

Regarding claims 43, 62 and 66 are rejected for the same reasons as discussed above with respect to claim 13.

25. Claims 44, 60, 63 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Fleming, III (U.S. Patent No. 6,697,484) further in view of Armanto et al. (U.S. Patent No. 6,094,587).

Regarding claims 44 and 63 are rejected for the same reasons as discussed above with respect to claim 14.

Regarding claims 60 and 64 are rejected for the same reasons as discussed above with respect to claim 11.

26. Claims 48, 49, 67 and 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enzmann et al. (U.S. Patent No. 6,687,242) in view of Burnett (U.S. Patent No. 6,839,424)

Regarding claims 48 and 67, Enzmann does not specifically teach the action comprising the browser signaling the telephony unit to initiate an outgoing call in response to the incoming call. Burnett teaches the action comprising the call handler 12 (i.e., browser) signaling the callback handler 27 (i.e., telephony unit) to initiate an outgoing call in response to the incoming call (fig.1; col.5, line 52- col.6, line 11). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Enzmann to allow the browser signaling the telephony unit to initiate an outgoing call in response to the incoming call as taught by Burnett. The motivation for the modification is to have doing so in order to return a call to the calling party at different telephone number.

Regarding claims 49 and 68, Enzmann does not specifically teach that the incoming call originates from a source, the source having a telephone number, and wherein the outgoing call is placed to a telephone number other than the telephone number of the source. Burnett teaches that the incoming call originates from a source, the source having a telephone number, and wherein the outgoing call is placed to a telephone number other than the telephone number of the source (fig.1; col.5, line 52- col.6, line 11). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Enzmann to allow the incoming call originating from a source, the source having a telephone number, and wherein the outgoing call is placed to a telephone number other than the telephone number of the source as taught by Burnett. The motivation for the modification is to have doing so in order to return a call to the

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calling party at different telephone number other than the source telephone number so that caller can be available without any inconvenience.

Allowable Subject Matter

27. Claims 24 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Reasons for Allowance

28. Claims 69 and 70 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 69, Examiner's newly discovered references, Armanto and Hayashi fail to teach if the ring tone data associated with the Caller-ID information of an incoming telephone call is not stored in the contact database of the mobile telephone, then waiting to establish a data connection with a remote server via the wireless network, and after establishing the data connection, automatically requesting the ring tone data from the remote server via the wireless network, receiving the ring tone data via the wireless network, and storing the ring tone data in the contact database in association with the Caller-ID information. Claim 70 is dependent on claim 69.

Conclusion

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sennett (U.S. Patent No. 6,795,702) teach Customized on-line user guide.

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30. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S. Elahee whose telephone number is (571) 272-7536. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M. E .

MD SHAFIUL ALAM ELAHEE

August 24, 2005



FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600